

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

MARIE-ANN GREENBERG, MAG-1284
MARIE-ANN GREENBERG, STANDING TRUSTEE
30 Two Bridges Road, Suite 330
Fairfield, NJ 07004
(973) 227-2840
Chapter 13 Standing Trustee

In Re:

ANTONIO CAPOTE

FILED
JEANNE A. NAUGHTON, CLERK

JUN 14 2017

U.S. BANKRUPTCY COURT
NEWARK, N.J.
BY _____ DEPUTY

Case No.: 16-24776

Hearing Date:

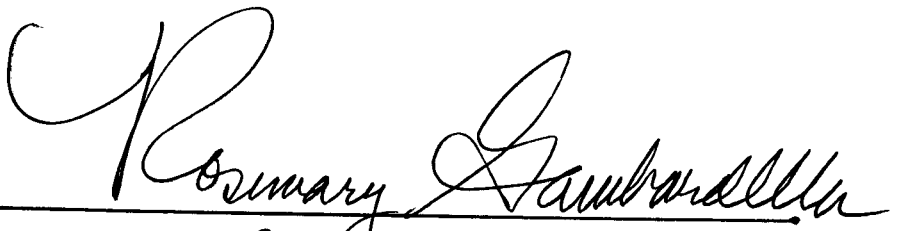
6-14-17

Judge: ROSEMARY GAMBARDILLA

CONSENT ORDER RESOLVING STANDING TRUSTEE'S OBJECTION TO EXEMPTIONS

The relief set forth on the following pages, numbered two (2) is hereby **ORDERED**.

6-14-17



USBJT

Debtor: ANTONIO CAPOTE

Case No. 16-24776

Caption of Order: **CONSENT ORDER RESOLVING STANDING TRUSTEE'S OBJECTION TO EXEMPTIONS**

THIS MATTER having been consented to by all parties entitled to notice; and good and sufficient cause, it is hereby Stipulated and Ordered:

The objection of the Standing Trustee to the debtor's exemptions is hereby resolved as follows:

Whereas, Debtor previously filed a Ch. 7 case which was assigned case number 15-31717.

Whereas, Debtor failed to disclose a personal injury action in the prior case.

Whereas, Debtor filed the instant case and also failed to disclose the same personal injury action initially.

Whereas, Debtor then amended his schedules and the Standing Trustee objected to same.

Whereas, Debtor, Standing Trustee and the U.S. Trustee agree to the following:

- Debtor must move to approve the settlement of the personal injury action within 14 days of the entry of this order;
- Once the Bankruptcy Court has approved the settlement and disbursement of the personal injury action, special counsel shall tender \$20,000 to the Standing Trustee of the net settlement of the personal injury action;
- The Standing Trustee shall set up a claim in the amount of \$20,000 for the Ch. 7 trustee, Donald Biase. Regardless of whether the instant case is dismissed, the Standing Trustee may tender payment of \$20,000 to the Ch. 7 trustee, less applicable trustee commissions.
- The Office of the United States Trustee shall undertake to re-open the Ch. 7 case, appoint the Ch. 7 trustee and allow for the administration of the asset in normal course.

The undersigned hereby consent to the form, content and entry of the within Consent Order.

/s/Marie-Ann Greenberg

Marie-Ann Greenberg, Esq.
Chapter 13 Standing Trustee

/s/Robert B. Davis

Robert B. Davis, Esq.
Attorney for Debtor

/s/Antonio Capote

Antonio Capote
Debtor

/s/Michael Artis

Office of the United States Trustee
Michael Artis, Esq.
Trial attorney